

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

LISA PAZOUR and MICHAEL
PAZOUR,

Plaintiffs,

vs.

PROCTOR AND GAMBLE HAIR
CARE, L.L.C.,

Defendant.

No. 3:08-cv-00118

Dist. Ct. No. LACV069574

NOTICE OF REMOVAL

Defendant Procter and Gamble Hair Care, L.L.C., pursuant to 28 U.S.C. §1441, et seq., for removal of cause of action from the Iowa District Court for Johnson County to the United States District Court for the Southern District of Iowa, respectfully states:

1. Defendant is a Defendant in a civil action commenced July 7, 2008, in the Iowa District Court for Johnson County, Iowa, entitled "Lisa Pazour and Michael Pazour, Plaintiffs v. Proctor [sic] and Gamble Hair Care, L.L.C., Defendant" (the "state court action"). That action is docketed as No. LACV069574.

2. Defendant was served with the Original Notice and the Petition at Law on August 19, 2008, by service upon its registered agent for service of process. Copies of the Original Notice and Petition at Law are attached hereto and constitute all process, pleadings and orders served upon Defendant in that cause of action.

3. In the state court action, as set forth in the Petition at Law, Plaintiffs seek to recover from Defendant as a result of an alleged bad faith denial of claims for workers'

compensation benefits, and related claims for breach of fiduciary duty and intentional infliction of emotional distress.

5. This Court has original jurisdiction over the claims alleged here based upon diversity of citizenship and pursuant to 28 U.S.C. §1332.

8. Plaintiffs are residents and citizens of the State of Iowa. Defendant Procter and Gamble Hair Care, L.L.C. is corporation incorporated under the laws of the State of Delaware with its principal place of business in the State of Ohio. Defendant is a citizen of states other than Iowa.

9. Plaintiffs' claims exceed the amount of \$75,000, exclusive of costs and interest.

10. The state court action is a civil action between citizens of different states and the matter in controversy exceeds \$75,000, exclusive of interest and costs. This Court has original jurisdiction over the matter pursuant to 28 U.S.C. §1332 and the action may be removed pursuant to 28 U.S.C. §1441(a).

11. Venue for removal to this Court is proper pursuant to the provisions of 28 U.S.C. §1391(a).

WHEREFORE, Defendant hereby removes the state court action pending as No. LACV069574 in the Iowa District Court for Johnson County to this Honorable Court.



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for

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ATTORNEYS FOR DEFENDANT

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District Court Clerk
Johnson County Courthouse
P.O. Box 2510
Iowa City, IA 52244

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this document was served upon counsel of record for each party to the action in compliance with FRCP 5 on September 18, 2008 by:

☒ Electronically via ECF for ECF registrants

☒ U.S. Mail _____

☐ Fax _____

☐ Fed Ex _____

☐ Hand Delivered _____

☐ other _____

/s/ Susan Clauss